

DECLARATION AND POWER OF ATTORNEY

As the below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe we are original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **SUPERELASTIC GUIDING MEMBER**, the specification of which is attached hereto.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by or any amendment(s) referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

None

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Serial No. 07/629,381 Filed December 18, 1990

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

EDWARD J. LYNCH, Registration No. 24,422
MALCOLM B. WITTENBERG, Registration No. 27,028
DAVID J. LARWOOD, Registration No. 33,191
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COPY

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—Full name of First Inventor: Robert M. Abrams

Executed on 12 day of OCTOBER, 1993

Inventor's Signature:

Residence:

Citizenship

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United States of America
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Full name of Second Inventor: Sepehr Fariabi

Executed on 10 day of September, 1993

Inventor's Signature:

Residence:

Citizenship

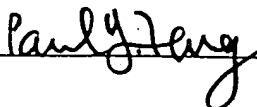
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United States of America
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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence (with all attachments) is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on October 19, 2001.

Paul Y. Feng



Registration No. 35,510

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:) Examiner: G. P. Wyszomierski
Inventor: Robert M. Abrams)
Sepehr Fariabi) Group Art No.: 1742
Serial No.: 09/589,646) New Docket No.: ACS 58344 (72018.1)
Date Filed: June 7, 2000) Old Docket No.: 22965-2008
)
Continuation of Serial No. 08/484,218) October 19, 2001
For: SUPERELASTIC GUIDING MEMBER) Los Angeles, California

POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST
(REVOCATION OF PRIOR POWERS)

Commissioner for Patents
Washington, D.C. 20231

Dear Sir/Madam:

As Assignee of record of the entire interest of the above-identified patent application,

REVOCATION OF PRIOR POWERS OF ATTORNEY

all powers of attorney previously given are hereby revoked, and

NEW POWER OF ATTORNEY

the following attorneys and/or agents are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith:

COPY

EARL A. BRIGHT II, Registration No. 37,045; THOMAS A HASSING, Registration No. 36,159; TIM L. KITCHEN, Registration 41,900; PHILIP S. YIP, Registration No. 37,265; RICHARD A. BARDIN, Registration No. 20,365; GILBERT G. KOVELMAN; Registration No. 19,552; JOHN S. NAGY, Registration No. 30,664; THOMAS H. MAJCHER, Registration No. 31,119; THOMAS A. RUNK, Registration No. 30,679; RONALD E. PEREZ, Registration No. 36,891; JOHN V. HANLEY, Registration No. 38,171; RICHARD B. CATES, Registration No. 36,100; JOHN K. FITZGERALD, Registration No. 38,881; PAUL Y. FENG, Registration No. 35,510; GUNTHER O. HANKE, Registration No. 32,989; and JAMES JUO, Registration No. 36,177.

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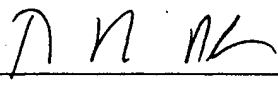
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ASSIGNEE STATEMENT UNDER 37 C.F.R. § 3.73(b)

ADVANCED CARDIOVASCULAR SYSTEMS, INC. states that it is the Assignee of the entire right, title, and interest in the patent application identified above by virtue of an Assignment from the inventors of the parent U.S. Patent No. 5,341,818 which issued from Serial No. 07/994,679, filed on December 22, 1992. The Assignment was recorded in the Patent and Trademark Office at Reel 6456, Frame 0379, on December 22, 1992.

The undersigned, whose title is indicated below, is empowered to sign this Power of Attorney and statement on behalf of the Assignee.

Dated: October 17, 2001



TAM Thomas R. Peterson
Vice President, Secretary and General Counsel
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